IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 20606 of 2007(C)

PETITIONER:

K.M.SAINUDEEN, S/O MEERAN,
KUNNUMPURATH HOUSE, ADIVADU,
PALLARIMANGALAM P.O., KOTHAMANGALAM,
ERNAKULAM DISTRICT.

BY ADV. SRI.P.V.BABY
SRI.A.N.SANTHOSH

RESPONDENTS:
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1. MARAMPALLY SERVICE CO-OPERATIVE BANK LTD
NO.E 265, MARAMPALLY P.O., ERNAKULAM DISTRICT,
REPRESENTED BY ITS SECRETARY.

2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), ERNAKULAM.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR
GOVT.PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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W.P.(C).No. 20606 of 2007

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Dated this the 18th day of August, 2007

JUDGMENT

Ext.P9 is challenged by the petitioner. One of the contentions taken by the petitioner is that petitioner was not heard when Ext.P9 was passed. I heard learned counsel for the petitioner and the learned counsel for the respondent-Bank besides the learned Government Pleader.

There is no dispute that the petitioner was not heard when Ext.P9 order was passed. In such circumstances, I feel that Ext.P9 cannot be sustained and Ext.P9 is to be quashed. Accordingly, Ext.P9 is quashed. The second respondent will consider the matter afresh and take a decision in accordance with law after hearing the petitioner and the first respondent within a period of two months from the date of production of a copy of this judgment. I am leaving open the other contentions of the parties.

(K.M.JOSEPH, JUDGE)

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